

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JANUARY 15, 2015

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

None

HEARINGS TO BE HELD AT THE OFFICES OF THE PUBLIC UTILITIES COMMISSION, WALKER BUILDING, 21 SOUTH FRUIT STREET, CONCORD, NH:

January 15, 2015 @ 10:30 a.m.:

- a. Club Social, 240 Main Dunstable Road, Nashua, NH.
Social Club License #16501 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises – 3 counts.
Dates of violations: July 18, 2013 – the present & May 3, 2014.
Case #: 14-91-OF & 14-170-OF.

January 15, 2015 @ 2:00 p.m.:

- b. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1476403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Date of violations: March 6, 2014.
Case #: 14-90-OF.

February 19, 2015 @ 9:30 a.m.:

- c. Foresters' Club Of Newport, 38 Maple Street, Newport, NH.
Social Club License #16201 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises.
Date of violation: July 11, 2014.
Case #: 14-269-OF.

February 19, 2015 @ 10:00 a.m.:

- d. Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH.
Restaurant Full Service With Lounge License #1453303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: February 1 - 2, 2013.
Case #: 14-116-OF.

February 19, 2015 @ 10:30 a.m.:

- e. Singin' Bowl, 10 Bridge Street #4, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: February 6, 2014.
Case #: 14-42-OF.

February 19, 2015 @ 11:00 a.m.:

- f. Pacific Fusion Restaurant, 356 D.W. Highway, Merrimack, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: July 26, 2014.
Case #: 14-265-OF.

Date to be determined:

- g. Zaboo, 24 Depot Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Dates of violations: October 31, 2014 & September 6, 2014.
Case #s: 14-413-OF & 14-338-OF.
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.
SETTLEMENT PENDING.

Date to be determined:

- h. Club 550, 2025 White Mountain Highway, North Conway, NH.
Sports Entertainment License #2503005 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violations: May 25, 2014.
Case #: 14-170-OF.
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Chop Shop Pub & Grub, 920 Lafayette Road, Seabrook, NH.
Caterer-Off-Site License #1282534 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: June 20, 2014.
Case #: 14-220-OF.
\$500 administrative fine, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing January 22, 2015 with re-grant on January 24, 2015.

- b. Dutch Treat Restaurant, 317 Main Street, Franconia, NH.
Restaurant Full Service With Lounge License #235003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Date of violation: August 23, 2014.
Case #: 14-308-OF.
\$500 administrative fine, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in the cocktail lounge only for three (3) days commencing January 29, 2015 with re-grant on February 1, 2015 & Margaret White shall complete a Total Education in Alcohol Management (TEAM) seminar on line.
- c. Honey Pot Bar & Lounge, 920 Lafayette Road, Seabrook, NH.
Restaurant Full Service With Lounge License #1411603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:17 – allowed the sale and consumption of alcoholic beverage on the premise after the expiration of the serving hour.
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 3 counts.
For violation of RSA 179:5, I, \$500 administrative fine, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation; for all other violations, \$850 administrative fine; the violation history for license #1411603 shall carry over to the next liquor license the licensees are issued.
- d. My Campus Convenience, 152 Winchester Street, Keene, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3296747 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Date of violation: September 1 – 23, 2014.
Case #: 14-388-OF.
\$500 administrative fine, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days commencing February 2, 2015 with re-grant on February 5, 2015, Rabia Sarwar shall attend a Management Training Seminar (MTS) in a classroom on the next available date & Pia Bergeron shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom on the next available date.
- e. Red Arrow Diner, 63 Union Square, Milford, NH.
Restaurant Full Service With Lounge License #1369603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of Liq. 603.06 – failed to comply with requirements of a Commission order.
Date of violation: September 15, 2014.
Case #: 14-399-OF.
An administrative fine of \$2,000 with \$1,000 suspended for twelve (12) months pending no like violation & the license to sell alcohol shall be suspended for thirty (30) days with twenty-five (25) days held in abeyance for twelve (12) months pending no like violation commencing January 26, 2015 with re-grant on January 31, 2015.
- f. Speedway Convenience Store, 905 Route 106, Loudon, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #885547 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:49 – stored beverages or liquor in any building other than that designated in the license.
Date of violation: September 2, 2014.
Case #: 14-317-OF.
An administrative fine of \$250 shall be suspended for twelve (12) months pending no like violation.

- g. US Market, 18 Rockland Avenue, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3291947 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 2 counts.
Date of violations: October 31, 2014.
Case #: 14-416-OF.
An administrative fine of \$1,000 to come forward from violations adjudicated on October 9, 2014, an additional administrative fine of \$2,500 with \$2,000 suspended for twelve (12) months pending no like violation, eight (8) points shall be assessed to the liquor license; the licensee will be required to go before the Liquor Commission to renew their license in 2015, the license to sell alcohol shall be suspended for two (2) days to come forward from violations adjudicated on October 9, 2014, commencing January 26, 2015 with re-grant on January 28, 2015; an additional twenty-one (21) day suspension shall be held in abeyance for twelve (12) months pending no like violation & Uudhav Thapa and Sita Thakuri Thapa shall attend a Management Training Seminar (MTS) in a classroom on the next available date.
- h. Zaboo, 24 Depot Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:23, V/Liq. 404.06 – failed to obtain a felon exception for a manager.
Date of violation: August 28, 2014.
Case #: 14-318-OF.
An administrative fine of \$5,850 with \$5,350 suspended for twelve (12) months pending no like violation & the licensee shall prevent Nazar Lapushansky from performing any managerial tasks at the licensed premises as defined by Liq. 404.06(c) until a felon exception is granted to him by the Liquor Commission pursuant to RSA 179:23.

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

Bedford Village Inn & Restaurant, 2 Olde Bedford Way, Bedford, NH.
Hotel Full Service With Lounge License #349602 licensed pursuant to RSA 178:21, II(b)(1)/178:22, V(k).
Date of violation: December 30, 2014.
Case #: 15-1-OF.
\$250 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Blier, Clarence & Nichada DBA Khaophums, 555 Central Avenue, Dover, NH 03820.
To be issued Restaurant On-Premise Beverage and Wine License #1500003 pursuant to RSA 178:20.
- b. Concord Hospital Trust,
Grappone Conference Center, 70 Constitution Drive, Concord, NH 03301.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 2/13/2015.
- c. JIYA LLC DBA Danville Market, 183 Main Street, Danville, NH 03819.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3318547 pursuant to RSA 178:18.
30 Day Temporary License issued: 1/15/2015.
- d. Lafayette West Lebanon LLC DBA Fireside Inn & Suites # 1,
25 Airport Road, West Lebanon, NH 03784.
To be issued Hotel On-Premise Beverage, Wine and Liquor License #370702 pursuant to RSA 178:24, II(b)(1).
30 Day Temporary License issued: 1/7/2015.

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JANUARY 12, 2015: 1,101

- a. Goldschmidt Vineyard, 631 Healdsburg Avenue, Healdsburg, CA 95448.
Direct Shipper Permit pursuant to RSA 178:27.
- b. ITO Wines LLC DBA Traveling Vineyard, 8260 Pleasant Valley Road, Hammondsport, NY 14840.
Direct Shipper Permit pursuant to RSA 178:27.
- c. Renteria Wines LLC, 1285 Dealy Lane, Napa, CA 94559.
Direct Shipper Permit pursuant to RSA 178:27.
- d. Stonecushion DBA Matrix Winery, 3291 Westside Road, Healdsburg, CA 95448.
Direct Shipper Permit pursuant to RSA 178:27.

7. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:**

None

9. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Ed's Breads LLC DBA Ron Jillians, 853 Lafayette Road, Hampton, NH 03842.
Restaurant On-Premise Cocktail Lounge License #1324103 licensed pursuant to RSA 178:22.
Date petition received: 10/31/2014.
Requested approval for authorization of other areas, to wit, an additional basement bar area with a capacity of 51 licensed pursuant to RSA 178:24 and Liq. 404.05.
- b. J & M Woodman Restaurant, Inc. DBA Panzanella's Italian Pizzeria,
72 Main Street, Newmarket, NH 03857.
Restaurant On-Premise Beverage/Wine/Liquor License #1023103 licensed pursuant to RSA 178:21.
Date petition received: 11/7/2014.
Requested approval for authorization to transfer business location, to wit, to transfer the location from 72 Main Street, Newmarket, NH to 12 A Weaver Street, Newmarket, NH as indicated in a letter dated November 7, 2014 pursuant to RSA178:29, VIII.
- c. Kizzco, Inc. DBA Siam Orchid, 158 North Main Street, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1023103 licensed pursuant to RSA 178:21.
Date petition received: 4/21/2014.
Requested approval for authorization to transfer business location, to wit, to transfer location from 158 North Main Street, Concord, NH to 12 North Main Street, Concord, NH as indicated in a letter dated April 21, 2014 pursuant to RSA178:29, VIII.

- d. Saltwater Bar & Bistro LLC, 85 Central Street, Woodsville, NH 03785.
Restaurant On-Premise Beverage and Wine License #1478203 licensed pursuant to RSA 178:20.
Date petition received: 1/7/2015.
Requested approval for authorization of other areas, to wit, an additional bar area with a capacity of 50 pursuant to RSA 178:24 and Liq. 404.05.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

13. NOTIFICATION OF COMPLIANCE CHECKS:

None

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None